

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOSEPH PHILLIPS,	)	
Petitioner,	)	
	)	
vs	)	Civil Action No. 09-1159
	)	
SUPERINTENDENT MELVIN	)	
LOCKETT, et al.,	)	
Respondents.	)	

ORDER

AND NOW, this 19<sup>th</sup> day of January, 2010, after the petitioner, Joseph Phillips, filed a petition for writ of habeas corpus, and after a report and recommendation was filed by the United States Magistrate Judge granting the parties thirteen days after being served with a copy to file written objections thereto, and an order entered granting the petitioner's motion to extend the time to file objections to January 14, 2010, and no objections having been filed, and upon written review of the petition and the record and upon consideration of the magistrate judge's report and recommendation (Docket No. 14), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for writ of habeas corpus filed by petitioner (Docket No. 1) is dismissed and a certificate of appealability is denied.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the Petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P .

/s/ Joy Flowers Conti  
United States District Judge



